

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

COMMISSIONS IMPORT EXPORT S.A.,

Judgment Creditor,

v.

REPUBLIC OF THE CONGO,

Judgment Debtor.

No. 1:14-mc-00187 (AJN)

NOTICE OF CROSS-MOTION TO COMPEL

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Declaration of Charles R. Jacob III, and the exhibits thereto, Judgment Creditor Commissions Import Export S.A. (“Judgment Creditor”) hereby cross-moves this Court, pursuant to the schedule set by the Court in its Order dated August 23, 2021 (Doc. 23), before the Honorable Alison J. Nathan, United States District Judge, at the United States Courthouse, 40 Foley Square, New York, NY 10007, for an Order pursuant to Rule 45 of the Federal Rules of Civil Procedure compelling compliance by non-party Ecree LLC (“Ecree”) with the subpoena (the “Subpoena”) served on Ecree by Judgment Creditor in this proceeding on July 19, 2021.

In accordance with the Court’s August 23, 2021 Order (Doc. 23), any response by Ecree shall be filed by October 8, 2021. In its papers submitted herewith, Judgment Creditor opposes Ecree’s September 17, 2021 motion (Docs. 24-26) to quash the Subpoena; this cross-motion is filed for the limited purpose of procedural clarity that, in the event the Court denies Ecree’s motion to quash, Ecree must produce the documents requested by the Subpoena.

Date: October 1, 2021

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TO: All Counsel (via ECF)